

Remarks

This Amendment is responsive to the Office Action of **February 10, 2005**.
Reexamination and reconsideration of **claims 1-23** is respectfully requested.

Summary of The Office Action

Claims 1-19 were rejected under 35 U.S.C. § 102(e) as being anticipated by Bradford et al. (U.S. Patent No. 6,728,770).

The Present Amendment

The present amendment cancels claims 12-19 and adds new claims 20-23. No new matter has been added.

The Present Claims Patentably Distinguish Over the References of Record

Independent Claim 1

Claim 1 is directed to a method for configuring data communication paths between a central controller and a plurality of printing devices via a plurality of appliances. Claim 1 recites that an appliance is configured to collect diagnostic data from one or more printing devices and that the method includes mapping respective communication paths between the central controller and the printing devices to obtain an automatic appliance failover to allow diagnostic data to be collected from a selected printing device by way of multiple appliances.

Bradford fails to teach or suggest mapping communication paths between a central controller and printing devices and fails to teach or suggest obtaining automatic appliance failover as recited in claim 1. Rather, Bradford teaches balancing a workload to virtual peripheral devices 160 across communication paths (column 4, lines 6-10). A controller 210 samples the workload of each communication path (column 4, lines 58-60). Thus, the controller determines the usage of a communication path (column 7, lines 55-59) and has no discussion about collecting diagnostic data from printing devices as recited in claim 1. Therefore, Bradford

fails to teach or suggest a method to obtain an automatic appliance failover to allow diagnostic data to be collected from a selected printing device by way of multiple appliances as recited in claim 1.

Since claim 1 recites features not taught or suggested by the reference, claim 1 patentably distinguishes over the reference. Accordingly, dependent claims 2-5 also patentably distinguish over the reference and are in condition for allowance.

Independent Claim 6

Claim 6 recites determining which of the plurality of intermediate collectors are capable of communicating with one or more of the plurality of printing devices to obtain a communication map to allow an automatic intermediate collector failover to occur if an intermediate collector fails to operate. Claim 6 further recites transmitting signals indicative of the diagnostic data from the identified printing device to the central processing unit via the available intermediate collector.

As explained previously, Bradford samples workload/usage data relating to communication paths and fails to teach or suggest a method of gathering diagnostic data from printing devices. Furthermore, Bradford does not discuss collectors that can collect diagnostic data from printing devices. Thus, Bradford fails to teach or suggest obtaining a communication map to allow an automatic intermediate collector failover to occur if an intermediate collector fails to operate.

Since claim 6 recites features not taught or suggested by the reference, claim 6 patentably distinguishes over the reference. Accordingly, dependent claims 7-11 also patentably distinguish over the reference and are in condition for allowance.

Independent Claim 20

Claim 20 recites a system comprising a plurality of printing devices and a plurality of appliances where an appliance is configured to collect diagnostic data from one or more of the plurality of printing devices. Claim 20 further recites a controller being configured to perform an

automatic appliance failover to a second appliance using a map of the communication paths if communication with the first appliance fails in order to receive the diagnostic data relating to the selected printing device.

Bradford fails to teach or suggest the claimed system. As explained above, Bradford has no component that collects diagnostic data from a printing device and thus fails to teach or suggest the recited appliances or the recited automatic appliance failover as in claim 20.

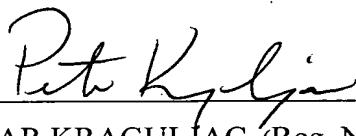
For at least these reasons, claim 20 patentably distinguishes over the references of record and is in condition for allowance. Accordingly, dependent claims 21-23 also patentably distinguish over the references and are in condition for allowance.

Conclusion

For the reasons set forth above, **claims 1-11 and 20-23** patentably and unobviously distinguish over the references of record and are now in condition for allowance. An early allowance of all claims is earnestly solicited.

Respectfully submitted,

9 - MAY - 2005



PETAR KRAGULJAC (Reg. No. 38,520)
(216) 348-5843